

7909 REPLACEMENT  
ORDER

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 JAPAN DISPLAY INC.)

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 (SAN FRANCISCO DIVISION)

In re: TFT-LCD (FLAT PANEL)  
 ANTITRUST LITIGATION

Master File No. 3:07-md-1827 (N.D. Cal.)  
 MDL No. 1827

This Document Relates To Individual Case  
 Nos. 3:11-cv-03856-SI (N.D. Cal.)

Case Nos. 3:11-cv-03856-SI (N.D. Cal.)

SCHULTZE AGENCY SERVICES, LLC  
 on behalf of TWEETER OPCO, LLC and  
 TWEETER NEWCO, LLC,  
 Plaintiff,

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER EXTENDING DEADLINE FOR  
 DEPOSITIONS**

vs.

Honorable Susan Illston

AU OPTRONICS CORPORATION, *et al.*,  
 Defendants.

1 Plaintiff Schultze Agency Services, LLC on behalf of Tweeter Opco, LLC and Tweeter  
 2 Newco, LLC (collectively, "Schultze") and Defendants (collectively "Stipulating Defendants"),  
 3 hereby stipulate as follows:

4 WHEREAS, fact discovery in the Track 2 Direct Action Plaintiff cases is set to close on  
 5 May 17, 2013, pursuant to the Stipulation and Order Setting Revised Track 2 Deadlines (Dkt. No.  
 6 7665, the "Scheduling Order");

7 WHEREAS, Stipulating Defendants served a notice of subpoena on Progressive Retailers  
 8 Organization Group ("PRO Group") for a deposition scheduled for May 3, 2013;

9 WHEREAS, PRO Group is unable to provide a representative for deposition before the  
 10 current deadline for the close of fact discovery and has requested that the deposition be re-  
 11 scheduled for a date after the current deadline for the close of fact discovery;

12 WHEREAS, PRO Group has agreed to produce documents to Stipulating Defendants in  
 13 response to their discovery requests in hopes of satisfying Stipulating Defendants' need for  
 14 information from PRO Group and thus eliminating the need for a PRO Group deposition;

15 WHEREAS, Stipulating Defendants wish to preserve the right to take the deposition of  
 16 PRO Group after the current deadline for the close of fact discovery in the event that PRO Group  
 17 is unable to provide sufficient information through its production of documents to Stipulating  
 18 Defendants to eliminate the need for a deposition of PRO Group;

19 WHEREAS, Stipulating Defendants and Schultze are meeting and conferring regarding  
 20 the transactional data produced by Schultze in an attempt to avoid the need for further  
 21 depositions;

22 WHEREAS, Stipulating Defendants wish to preserve the right to take the deposition of a  
 23 former employee of Tweeter Home Entertainment Group, Inc. ("Tweeter") familiar with  
 24 Tweeter's purchase and sales databases and accounting practices in the event that the parties are  
 25 unable to fully resolve Stipulating Defendants' questions regarding the transactional data  
 26 produced by Schultze through the meet and confer process;

27 WHEREAS, additional time is needed to schedule and take the deposition of PRO Group  
 28 and potentially one deposition of a former Tweeter employee familiar with Tweeter's purchase

1 and sales databases and accounting practices;

2 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the  
3 undersigned counsel as follows:

4 The deadline for Stipulating Defendants to take the depositions of PRO Group and a  
5 former Tweeter employee familiar with Tweeter's purchase and sales databases and accounting  
6 practices is extended to July 1, 2013. This extension will not serve as the basis for Schultze to  
7 seek an extension of the deadline of June 6, 2013 to submit its expert report(s).

8  
9 Respectfully submitted,

10 Dated: May 13, 2013

MORGAN, LEWIS & BOCKIUS LLP

11 By: /s/ Kent M. Roger

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19 *Attorneys for Defendants Hitachi, Ltd., Hitachi Electronic*  
20 *Devices (USA), Inc., and Hitachi Displays, Ltd. (n/k/a*  
21 *Japan Display Inc.)*

22 *Also on behalf of AU Optronics Corporation, AU Optronics*  
23 *Corporation America, Chi Mei Optoelectronics Corporation*  
24 *(n/k/a Chimei Innolux Corporation), Chi Mei*  
25 *Optoelectronics USA, Inc., CMO Japan Co., Ltd.,*  
26 *Chunghwa Picture Tubes, Ltd., Epson Electronics America,*  
27 *Inc., Epson Imaging Devices Corporation, HannStar*  
28 *Display Corporation, LG Display Co., Ltd., LG Display*  
*America, Inc., Mitsui & Co. (Taiwan), Ltd., Mitsui & Co.*  
*(U.S.A.), Inc., NEC Corporation, NEC Corporation of*  
*America, NEC LCD Technologies, Ltd., NEC Display*  
*Solutions of America, Inc., NEC Electronics America, Inc.,*  
*Sanyo Consumer Electronics Co., Ltd., Sharp Corporation,*  
*Sharp Electronics Corporation, Toshiba America*  
*Electronic Components, Inc., Toshiba Corporation, Toshiba*  
*Mobile Display Co., Ltd. and Toshiba America Information*  
*Systems, Inc.*

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By: /s/ Christopher V. Fenlon

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behalf of Tweeter Opco, LLC and Tweeter Newco, LLC*


**FILER'S ATTESTATION**

I, Kent M. Roger, am the ECF user whose identification and password are being used to file this Stipulation. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from the signatories above.

**[PROPOSED] ORDER**

Pursuant to the parties' stipulation set forth above, IT IS SO ORDERED.

Dated: May 13, 2013

By   
HON. SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE